

G
352.0742b
L778
2018
c.1

LITTLE BOAR'S HEAD DISTRICT

LISTED TO THE NATIONAL REGISTER OF HISTORIC PLACES 1999



ANNUAL REPORT

August 27, 2018

Annual Meeting

September 4, 2017, 6:30 PM at Union Chapel
7 Willow Avenue, Little Boar's Head, New Hampshire

352-07426
L778
2018
C.1

OFFICERS AND BOARDS OF THE VILLAGE DISTRICT OF LITTLE BOAR'S HEAD

As of September, 2018

Moderator	A. Michael Burnell	1 year
Commissioners	Richard N.A. Garnett	2018
	Leon Asadoorian	2019
	Brian Goode	2017
	Deborah Kanner	1 year
Clerk	Becky Murray	1 year
Treasurer	John Latham Knapp	1 year
Auditor	Brian Goode	2018
Zoning Compliance Inspector	Leon Asadoorian	2019
Zoning Board of Adjustment	Margaret Schoenberger (Chair)	2020
	Glenn Shwary	2019
	John Shaw	2019
	Chuck Ziakas	2020
	Robert Hamilton (Alternate)	2018
	Chris Goode	2019
	Janet Gorman	2019
	Robert Southworth Jr.	2019
Planning Board	Dickie Garnett	2018
	Joyce Hamilton	2019
	Robert C. Hamilton	2019
	John Latham Knapp	2018
Heritage Commission	Deborah Kanner	2019
	Leon Asadoorian	2019
	Margaret Schoenberger	2018
	Jane Kent Rockwell (Alternate)	2017
	Brian Goode	2018
Representative to the		
North Hampton Budget		
Committee		

The Village District of Little Boar's Head was formed by Act of the New Hampshire Legislature in 1905. It encompasses the seaward portion of the Town of North Hampton, New Hampshire.

TABLE OF CONTENTS

Officers and Boards	2
District Warrant	3
Commissioners' Report	7
Report of 2017 Annual Meeting	8
Zoning Inspectors' Report	12
Zoning Board of Adjustment Report	13
Planning Board Report	14
Heritage Commission's Report	18
Trust Funds Report	19
Auditor's Report	19
Treasurer's Report	1
Proposed Budget	16

DISTRICT WARRANT

The State of
New Hampshire

County of
Rockingham

SS

To the inhabitants of Little Boar's Head, a Village District in the Town of North Hampton, New Hampshire, organized under the provisions of Chapter 196, Session Laws of 1905, qualified to vote in District affairs, greetings:

You are hereby notified to meet at Union Chapel, 7 Willow Avenue in said District on the first Tuesday in September next, being the fourth day of September 2018, at 6:30 p.m. for the following purposes:

Article One: To elect a Moderator, a District Clerk, a Treasurer, and an Auditor for the ensuing year.

Article Two: To elect one Commissioner for a term of three years following the expiration of the term of Richard Garnett at the conclusion of this meeting.

Article Three: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to amend Section VIII A.4. Accessory Use Building? The intent of the proposed amendment is to clarify that accessory use buildings are not to be used for human habitation in the residential district.

(Majority vote required)

Article Four: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to amend Section VIII A.5. Coverage? The intent of this proposed amendment is to set limits, similar to other towns, on the amount of land which can be

covered on each lot in the residential district. If approved, this will help preserve the rural nature of The District.

(Majority vote required)

Article Five: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to amend Section VIII B.1. Side & Rear? The intent of the proposed amendment is to require the side and rear yard setbacks in the Business Districts to be the same as those in the Residential District.

(Majority vote required)

Article Six: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to amend Section VIII B.2. Front? The intent of the proposed amendment is to require the front yard setbacks in the Business Zoning District to be the same as those in the Residential District.

(Majority vote required)

Article Seven: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to amend Section VIII B.3. Shoreland? The intent of the proposed amendment is to have structures in the Business District be subject to the same requirements as those in the Residential District relative to the distance to the mean high water mark on the shore of the Atlantic Ocean.

(Majority vote required)

Article Eight: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to amend Section VIII B.4. Accessory Use Building? The intent of the proposed amendment is to clarify the requirements for an accessory use building in the Business Zoning District.

(Majority vote required)

Article Nine: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to amend Section VIII B.5. Coverage? The intent of the proposed amendment is to set limits on the amount of land which can be covered on each lot in the Business District. If approved, this will help preserve the rural nature of the District.

(Majority vote required)

Article Ten: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to amend Section VIII F: Conversion Into Dwellings? The intent of the proposed amendment is to clarify under what circumstances existing structures can be converted into dwellings.

(Majority vote required)

Article Eleven: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to amend Section VIII L: Fill? The intent of the proposed amendment is to put a

limit on the amount of fill a property owner can bring into the District to change the natural contours of their property and the aesthetic nature of The District.

(Majority vote required)

Article Twelve: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to amend Section VIX A: Non-Conforming Uses? The intent of the proposed amendment is to shorten the period in which a property can have a discontinued use.

(Majority vote required)

Article Thirteen: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to add Section X: Accessory Dwelling Units? The intent of the proposed amendment is to comply with new law codified at RSA 674:71 – 73, requiring all municipalities with a zoning ordinance to allow an accessory dwelling unit that is *within or attached* to a single-family dwelling. The proposed amendment outlines the criteria for approval of the construction of an Accessory Dwelling Unit.

(Majority vote required)

Article Fourteen: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to amend the definition of “Accessory Use” in Section XV - Definitions? The intent is to eliminate the exception for temporary guest quarters.

(Majority vote required)

Article Fifteen: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to amend the definition of “Building” in Section XV - Definitions? The intent is to provide a basic definition for the idea of a building.

(Majority vote required)

Article Sixteen: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to amend the definition of “Dwelling” in Section XV - Definitions? The intent is to provide a definition for one family’s use of a dwelling.

(Majority vote required)

Article Seventeen: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to amend the definition of “Impervious Coverage or Impervious” in Section XV - Definitions? The intent is to provide a definition for the use of land as it affects water running off the land.

(Majority vote required)

Article Eighteen: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to amend the definition of “Single-Family” in Section XV - Definitions? The intent of the proposed amendment is to change the number of

unrelated persons in a dwelling from three to two.

(Majority vote required)

Article Nineteen: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to amend the definition of "Structure" in Section XV - Definitions? The intent is to provide a definition for structure, as one did not previously exist.

(Majority vote required)

Article Twenty: Are you in favor of the adoption of the amendment to the zoning ordinance proposed by the Planning Board to delete the definition of "Temporary or Occasional" in Section XV - Definitions? This definition is no longer relevant to the District Zoning Ordinance.

(Majority vote required)

Article Twenty-One: To hear the reports of the Clerk, the Treasurer, the Zoning Inspectors, the Zoning Board of Adjustment, the Planning, the Commissioners and others, which reports are printed in this Annual Report, and to take such action as you may wish with regards to them.

(Majority vote required)

Article Twenty-Two: To see if the Village District will vote to accept in whole or in part a Village District Operating Budget in the amount of Twenty-Four Thousand Nine Hundred Dollars (\$24,900), as has been submitted to the Municipal Budget Committee of the Town of North Hampton, and has been approved by them, which budget is included in this Annual Report.

(Majority vote required)

Article Twenty-Three: To see if the Village District will raise and appropriate the sum of Seven Thousand Five Hundred Dollars (\$7,500) to be added to the Little Boar's Head Improvement Expendable Trust Fund previously established. The Commissioners and the North Hampton Municipal Budget Committee recommend this appropriation, which would be in addition to the Village District Operating Budget.

(Majority vote required)

Article Twenty-Four: To take such action as the Village District may wish to give the Treasurer of the Village District authority to borrow money in anticipation of taxes upon the written request of at least two of the Commissioners, and to dispense the funds of the Village District with the approval of at least one of the Commissioners.

(Majority vote required)

Article Twenty-Five: Shall the village district accept the provisions of RSA 31:95-b providing that any village district at an annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the commissioners to apply for, accept and expend, without further action by the village district meeting, unanticipated money from a state, federal, or other governmental unit or a private source which becomes available during the fiscal year?

(Majority vote required)

Article Twenty-Six: To transact such other business as may legally come before this meeting.

GIVEN UNDER OUR HANDS AND THE SEAL OF THE VILLAGE DISTRICT this 8th day of August 2018.

Leon Asadoorian, Richard N.A. Garnett, Brian Goode
Commissioners

A true copy, attest:

Leon Asadoorian, Richard N.A. Garnett, Brian Goode

AND WE DO CERTIFY that we have this day posted a true and complete copy of the above DISTRICT WARRANT on the District Bulletin Board at Union Chapel on Willow Avenue in said District and on a Bulletin Board in the North Hampton Town Office, both being public places in the Town of North Hampton.

Richard N.A. Garnett "Dickie", Chair
Leon Asadoorian
Brian Goode
Commissioners

REPORT OF THE COMMISSIONERS

The goal of the Commissioners for this passing year was to prepare for replacing the section of sidewalk between Atlantic Avenue and Willow Avenue. As we are sure residents are aware this side walk has become lower than the adjacent State Highway and has become inundated with soil and grass. As the sidewalk is adjacent to the Ocean Boulevard (State Route 1A) the District is required to abide by many design on process stipulations. The Commissioners contracted with a Structural Engineer to start this process. Due to the winter storm damage this process was not completed but it is the intention of the Commissioners to continue this process of this coming winter.

The late winter storm caused considerable damage to the ocean walkways and adjoining gardens. The Commissioners and residents of the District should be appreciative of the hard work of the Town of North Hampton's Department of Public Works for their assistance in cleaning the South Gardens, Fish House area and most importantly rebuilding of the ocean walk between the North Garden and Atlantic Avenue. This area was damaged to the point in which it was a true safety concern. The Commissioners would like to acknowledge the cooperation of the Town of North Hampton's new Town Administrator

Bryan Kaenrath and the hard work of everyone at the DPW under John Hubbard.

The winter storm also washed out the berm walkway along Ocean Boulevard in front of the Fuller Mansion. This walkway was last replaced with asphalt in 2009. While the walkway was not complete washed out much of it is need of replacement. The Commissioners have obtained estimates and were ready to replace this walkway; but, unfortunately, sections of the berm need more repair by the State and we are currently waiting for that to be executed. The Commissioners are working with members of the State Department of Public Works to see this through.

During this process, the State has alerted The District that FEMA Funds are likely to become available, but the process will be long. It is the hope of the Commissioners that these Funds could be used to help repair and improve the Berms in the District. As the severity of the winter storms increase, stabilizing and fortifying the ocean walk should be a priority of the District, the Town and the State.

Looking forward the Commissioners goals for the coming year continue to be ensuring that The District stays a beautiful, rural and self-managed oceanside community. The sense of community leads us to our annual plea for volunteers to help with management of this great community. As our former Commissioners would always remark, “it takes a Village”. There are always opportunities for people to volunteer and help assist in the management of this very unique place we call home. Elections are held at our Annual Meeting, September 4th at 6:30pm, but many positions are appointed. Please attend the meeting or contact a District representative directly.

Leon Asadoorian
Richard N. A. Garnett, Chair
Brian Goode
Commissioners

REPORT OF THE ANNUAL MEETING

September 5, 2017

Minutes of the Annual Meeting of the Village District of Little Boar's Head, held in Union Chapel, Willow Avenue, North Hampton, New Hampshire, on Tuesday, September 5, 2017, commencing at 6:30 p.m. Notice of the meeting had been posted on the bulletin board outside Union Chapel and in the offices of the Town of North Hampton.

The meeting was called to order by A. Michael Burnell, who introduced the Village District Commissioners: Richard N. A. Garnett, Chairman; Leon Asadoorian; and Brian Goode. The Moderator then took up the Year 2017 District Warrant Articles, as follows:

Article One: To elect a Moderator, a District Clerk, a Treasurer, and an Auditor for the ensuing year. By a show of hands vote, the following were re-elected to District offices for the year 2017-2018: A. Michael Burnell, Moderator; Becky Murray, District Treasurer; Deborah Kanner, District Clerk; John Knapp, Auditor.

Article Two: To elect one Commissioner for a term of three years following the expiration of the term Brian Goode at the conclusion of this meeting.

Brian Goode was nominated and re-elected.

Article Three: To hear the reports of the Clerk, the Treasurer, the Zoning Inspectors, the Zoning Board of Adjustment, the Commissioners and others, which reports are printed in this Annual Report, and to take such action as you may wish with regard to them.

By a show of hands Article Three was adopted.

Article Four: To see if the Village District will vote to accept in whole or in part a Village District Operating Budget in the amount of Twenty Four Thousand Nine Hundred Dollars (\$24,900), as has been submitted to the Municipal Budget Committee of the Town of North Hampton, and has been approved by them, which budget is included in this Annual Report.

By a show of hands Article Four was adopted.

Article Five: To see if the Village District will raise and appropriate the sum of Seven Thousand Five Hundred (\$7,500) to be added to the Little Boar's Head Improvement Expendable Trust Fund previously established. The Village District Commissioners and the North Hampton Municipal Budget Committee recommend this appropriation, which would be in addition to the Village District Operating Budget.

By a show of hands Article Five was adopted.

Article Six: To take such action as the Village District may wish to give the Treasurer of the Village District authority to borrow money in anticipation of taxes upon the written request of at least two of the Commissioners, and to dispense the funds of the Village District with the approval of at least one of the Commissioners.

By a show of hands Article Six was adopted.

Article Seven: To see if the Village District will authorize the Commissioners, or any two of them, to apply for, to accept, and to expend without further action by this Village District, moneys from the

Federal Government, from the State of New Hampshire or from private sources in accordance with the provisions of Revised Statutes Annotated, Chapter 32.

By a show of hands Article Seven was adopted.

Article Eight: To see if the Village District will authorize the Commissioners, or any two of them, as agents, to transfer funds from the Little Boar's Head Improvement Fund into the Operating Account, and/or to deposit funds from the Operating Account into the Little Boar's Head Improvement Fund, which Fund is administered by the Trustees of Trust Funds of the Town of North Hampton, as may be necessary to carry on the work of the Village District.

By a show of hands Article Eight was adopted.

Article Nine: To raise and appropriate such sums of money as may be necessary for the purposes included in the Budget, including the extinguishing of fires, the lighting or sprinkling of streets, the planting and care of shade or ornamental trees, the supply of water for domestic or fire purposes, the construction and maintenance of main drains and common sewers, the construction, maintenance and care of parks and commons, the maintenance of activities for recreation, the control of pollen, insects and pests, the impoundment of water, the maintenance of roads, the appointment and employment of watchmen and police officers, the enactment and enforcement of zoning regulations, and all other miscellaneous District expenses for the ensuing year.

By a show of hands Article Nine was adopted.

Article Ten: To transact such other business as may legally come before this meeting.

Caren Schubart presented an outdated Little Boar's Head directory that she had found and suggested that a new directory be compiled for the convenience of the residents. Richard Garnett thinks it would be a fantastic idea and asked for a volunteer to work on the project. He will contact the town for assistance and suggested that those present leave their names and email addresses.

Janet Gorman thanked the commissioners, and all board members for their service to the District. She especially appreciates Brian Goode for all the work he did as inspector.

Mrs. Gorman asked about the relocation of the crosswalk at the beach which had been discussed at last year's meeting. Mr. Garnett explained that despite the fact that the Town of North Hampton is willing to pay for and oversee the project, it has been held up at the state level where two departments are in disagreement. Constant contact was suggested.

Caren Schubart asked about the replacement of the boardwalk along the ocean berm. Richard Garnett explained that while Little Boar's Head could rebuild the boardwalk, it's grading the berm that is the issue. Brian Goode explained that after storms the State of New Hampshire does restore the berm but recently has not regraded the top. Regrading requires a separate piece of machinery and sending it out has not been a priority. Ten year plan prioritizes projects based on numbers of residents who are affected.

Jane Rockwell pointed out that the berm is natural and is special because there are not many natural stone berms remaining on the seacoast. The stones are thousands of years old and that natural quality should not be compromised. If we try to make the berm more permanent filler might be added that would spoil its natural character.

Pat Myers suggested contacting the New Hampshire Travel and Tourism Bureau because they might have some money to address the preservation of the berm and the walkway.

Joyce Shaw asked if the commissioners had any information about the traffic counting going on Atlantic Ave. They did not and assume it is regular state oversight.

Debby Kanner asked for an update on the sidewalk restoration project on Ocean Boulevard from Atlantic to Willow that was brought up at last year's meeting. Brian Goode reported that an engineer was here last week to evaluate the drainage and survey current conditions before the project begins next spring. Project must meet the state minimum requirements. Once the scope of work and the cost have been determined there will be an opportunity for the three abutters to see the specifications.

By a show of hands Article Ten was adopted.

Respectfully Submitted,

Deborah Kanner
Village District Clerk

REPORT OF THE ZONING INSPECTOR

August 1, 2017 through July 31, 2018

The Village District of Little Boar's Head Zoning Inspector issued the following permits and denials:

The Village District of Little Boar's Head Zoning Inspector
Issued the following permits and denials:

Permit No. 1003017

Frederick Berggren Jr., 12 Appledore Ave, North Hampton, NH 03862, to remodel Kitchen, Mud Room and Office.

Permit No. Denial 10052017

Michael & Denise Tager, 11 Boulters Cove, North Hampton, NH 03862, to place an Accessory Building within 15 feet of side setbacks.

Permit No. Denial 10052017A

Minco Construction LLC, 44 Ocean Blvd, North Hampton, NH 03862, per plans proposed for work in the side setbacks.

Permit No. Denial 12072017

Jody Rodgers, 7 Ocean Blvd, North Hampton, NH 03862, to place three structures on one lot.

Permit No. 04062018

Bob Morton, 36B Ocean Blvd, North Hampton, NH 03862, to replace driveway side deck.

Permit No. 04182018

Mike & Becky Murry, 23 Ocean Blvd, North Hampton, NH 03862, to repair siding and steps from storm damage.

Permit No. 04182018B

LBH LLC, 19 Ocean Blvd 1 - 4, North Hampton, NH 03862, to repair siding floor and steps from storm damage.

Permit No. 04302018

Construction Services of NH, 10 Sea Road, North Hampton, NH 03862, to repair damage from pipe in kitchen, bath and living space.

Permit No. 06022018

Seashells LLC, 25 Ocean Blvd, North Hampton, NH 03862, to repair siding and deck from storm damage.

Permit No. 06112018

Caren Schubart, 36A Ocean Blvd, North Hampton, NH 03862, For front deck per approved plans by the ZBA on February 8, 2018.

Permit No. 064182018C

Christmas Cove Reality Trust, 23 Ocean Blvd M1 L2, North Hampton, NH 03862, to repair siding and steps from storm damage

Permit No. 064182018M1

Susanne D Falzone, 23 Ocean Blvd M1 M2 Willow Ave, North Hampton, NH 03862, to repair siding, floor and steps from storm damage

Permit No. 06192018

Malthouse Construction, 12 Willow Ave, North Hampton, NH 03862, to install Elevator.

Permit No. 06302018

Peter Goodrich Carpentry & Construction LLC, 17 Ocean Blvd, North Hampton, NH 03862, to repair storm damage.

Permit No. 07032018

Gray Construction, 38 Ocean Blvd, North Hampton, NH 03862, to renovate Bathroom.

REPORT OF THE ZONING BOARD OF ADJUSTMENT

August 1, 2016 through July 31, 2017

The Zoning Board of Adjustment of the Village District of Little Boar's Head heard the following cases:

Case No. 17-1: Application of Caren Schubart, 36A Ocean Blvd, North Hampton, for a Variance from to construct an addition to an existing non-conforming structure which will increase the non-conforming aspect of the structure. Application was Approved to build a deck only (as requested), with special conditions including the owner would file a Deed restriction that no walls or roof will ever be added to the deck area.

Case No. 17-2: Application of Michael and Denise Tager, 11 Boulters Cove, North Hampton, for a Special Exception to place a shed within thirty, but not closer than fifteen feet of lot line. Application was Approved.

Case No. 17-3: Application of Louis P. Minicucci, Sr., 44 Ocean Boulevard, North Hampton, for a Special Exception for the addition of window wells within the allowable building envelope that were not

included in previously approved building plans, and for a Variance for the addition of window wells within the set-backs and for a proposed deck off the third floor, neither of which were shown in the previously approved building plans. Application was Approved.

Case No. 17-4: Application of Louis P. Minicucci, Sr., 44 Ocean Boulevard, North Hampton, for a Special Exception for the replacement of a non-conforming barn that was damaged by storm, such replacement to be in conformance to the previously approved building plans, Special Exception and Variance for improvements and attachment of the barn. Application was Approved.

Case No. 17-5: Application of Jody Rodgers, 36 County Farm Rd., Stratham, NH 03885 for a Special Exception or alternatively a Variance related to the replacement of the existing single-family residence building at 7 Ocean Boulevard with a new 4-bedroom single-family residence that includes two single bedroom structures without internal connections to the primary structure. Application was Denied. In addition, the ZBA had several discussions and meetings with advisors on ways to update and clarify ZBA processes. Using State of NH guidelines as a resource, the ZBA has begun creating an updated LHB ZBA Rules of Procedure document and hopes to complete and publish such a document in the upcoming year.

Respectfully submitted,

John Shaw, Chair

REPORT OF THE PLANNING BOARD

September 2017 through August 2018

During the fiscal year of 2017-2018, the “Zoning Ordinance for Little Boar's Head District”

was reviewed in its entirety by the Planning Board of the Village District of Little Boar's Head. The goal of the review was to re-affirm the zoning intent, to update definitions and to bring clarity to the ordinance without changing the meaning or the intent.

Purpose of Zoning

In pursuance of authority conferred by New Hampshire Revised Statutes Annotated, §674, Section 16, for the purpose of promoting the health, safety, morals, and the general welfare of the community, the following ordinance is hereby enacted by the legislative body of Little Boar's Head District (a village district in the Town of North Hampton, County of Rockingham, and State of New Hampshire). [from our Zoning Ordinance for Little Boar's Head District, p. 4].

Zoning Enacted in September, 1937

By special act of the New Hampshire Legislature (Chapter 26 of the Laws of 1937), approved by the Governor and taking effect on February 17, 1937, this village district was granted the power to enact and enforce zoning regulations. The Zoning Ordinance for Little Boar's Head District was enacted in September of 1937 pursuant to this legislative authority.

Zoning Amended 13 Times

Subsequently, the ordinance has been amended thirteen times: on September 6, 1949, September 6, 1955, September 4, 1956, September 2, 1958, September 6, 1960, September 5, 1961, September 4, 1962, September 5, 1972, September 5, 1978, September 4, 1990, September 7, 1999, September 5, 2000, September 2, 2003 and October 6, 2015, September 6, 2016 [from our Zoning Ordinance for Little Boar's Head District, p. 4].

"Permissive" v. "Prohibitory" Zoning Ordinances

Most zoning ordinances in New Hampshire are of the so-called 'permissive' variety.

1 That is, in the absence of a variance or special exception, such an ordinance functions generally to prohibit uses of land unless they are expressly permitted as primary uses or can be found to be accessory to a permitted use.

2 The rule of accessory use is in response to the impossibility of providing expressly by zoning ordinance for every possible lawful use. Even under a permissive ordinance, a given use may

be allowed even if it is not explicitly allowed. Those types of uses are said to be accessory to the use that is expressly permitted.

3 Most ordinances expressly provide for some accessory uses, although the common law provides for them when the ordinance is silent on the matter.

4 (Adapted from § 9.02 Purpose of Doctrine, New Hampshire Practice, Land Use Planning and Zoning, Third Edition, Atty. Peter Loughlin)

Planning Board Proposed Amendments and Updates:

Section VIII – A4

1. **ACCESSORY USE BUILDING** *This was updated in order to have a specific way to define full-time living. The provision of the term “Human habitation” defined as “needing sanitation and septic systems” helps to clarify this issue.*
2. **COVERAGE** *This was inserted to reflect current practice in other towns in order to protect the ecology of our district property from lack of water management practices. New Hampshire Department of Environmental Services (<https://www.des.nh.gov/organization/divisions/water>) recommends post construction water management practices. DES found that some building plans use porches and hot-top without a plan for how the hard coverage displaces water. Run-off can threaten the ecology of the property and the land around it, including public sidewalks and roads.*

Section VIII - B

BUSINESS ZONING DISTRICT – SETBACKS *We are fortunate to have setbacks as they provide room for buildings to breathe and for the district to look less urban.*

1. **SIDE AND REAR** *Setbacks updated for residential use, and relief may be granted from these. The business district was originally created for bath houses. As most of the properties in this district are now residential, the definition of setbacks for residential use was obvious.*
2. **FRONT** *Setbacks updated for residential use, and relief may be granted from these. The business district was originally created for bath houses. As most of the properties in this district are now residential, the definition of setbacks for residential use was obvious.*
3. **SHORELAND** *updated to prohibit building closer to the ocean. Although this makes general sense, the ordinance will benefit from having this stated.*
4. **ACCESSORY USE BUILDING** *updated with more precise definitions in order to give clear guidelines of this building type.*

5. **COVERAGE** *added this update to clarify space of building and land use as per remarks above.*

Section VIII – F

1. **CONVERSION INTO DWELLING** *updated to provide clarity by removing last sentence where the definition becomes confusing.*
2. **FILL** *provided this for the use of a common word with no clear definition. Updated this to protect the ecology of the district and in keeping with other town's actions on this topic.*

Section IX

1. **NON-CONFORMING USES** *updated to one year's time period from 18 months.*

Section X

Add Section X – Accessory Dwelling Units *Section X was added to comply with the provisions of the STATE OF NEW HAMPSHIRE LAW, as defined in RSA 674:71-73 and RSA 674:21. It reads in part:*

- A. Definition: As used in this article, the following term shall have the meaning indicated: An "Accessory Dwelling Unit" (ADU) means a residential living unit that is within or attached to a single family dwelling and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.*
- B. An Accessory Dwelling Unit is permitted only by Special Exception, provided the following criteria are met, and provided that the location of the ADU, and conditions under which its use is proposed, are not detrimental, injurious, or offensive to the neighborhood.*
- C. Criteria: there are 18 criteria permitted by state law.*

Section XIII – Changes to Definitions

1. **ACCESSORY USE** *updated to clarify confusing language and definition for building*
2. **BUILDING** *updated to use clear definition*
3. **DWELLING** *updated to use clear definition*
4. **IMPERVIOUS COVERAGE or IMPERVIOUS** *added this clear definition*
5. **STRUCTURE** *updated to use clear definition*

In most cases, residents of the district would ask the building inspector or the commissioners for more precise definitions and so the planning

board has taken on this task of providing them for the approval by vote of the district at the annual meeting.

Respectfully submitted,

Robert A. Southworth, Jr.
Chairman

REPORT OF THE HERITAGE COMMISSION

August 1, 2017 through July 31, 2018

The Little Boar’s Head Heritage Commission serves to promote and preserve the cultural and historic nature of the Village District of Little Boar’s Head listed to the National Register of Historic Places 1999. At this time the commission is seeking to upgrade the historic fish house sign located at the garden south of the fish house area. We are requesting a larger sign made to higher specifications as a highlight to the area. The public way signs will remain as is.

The commission continues to explore installing a NH state historic information sign. Six years ago, the commission recommended the fish house area remain in a natural state and continues to support this goal.

Respectfully submitted,

John Latham Knapp, Secretary

LITTLE BOAR’S HEAD HERITAGE COMMISSION FUND

Balance on August 1, 2017	\$772.61
Balance on July 31, 2018	\$773.61

LITTLE BOAR’S HEAD IMPROVEMENT FUND
TRUSTEES OF THE TRUST FUNDS
TOWN OF NORTH HAMPTON

Balance on August 20,2017	22,974.30
Funded by Warrant Article 5	7,500
Interest earned	167.70
Balance on August 20, 2018	30,642.00

AUDITOR’S REPORT

Having examined the books, accounts, and records of Becky Murray, Treasurer for the Little Boar’s Head District, I certify that the books and accounts are correct.

August 20, 2018 John Latham Knapp,Auditor

TREASURER'S REPORT
September 1, 2017 – August 20, 2018

09/01/16	Balance on hand Citizens Bank (General Checking)	34,076.04
----------	--	------------------

RECEIPTS

Appropriation, Town of North Hampton	30,590.00
Zoning Compliance Certificate & Hearing Fees	803.00

Total Receipts	<u>31,393.00</u>
Total to be accounted for	<u>65,469.04</u>

EXPENDITURES

Code 01	Sidewalks	
	Dieter Ebert, landscape maintenance	3,750.00
	Farwell Engineering	2196.00
<u>Total Code 01</u>		5,946.00

Code 02	Parks and Commons	
	Dieter Ebert, landscape maintenance	4,960.00
	Rye Beach & Little Boar's Head Garden Club	1,800.00
	<u>Total Code 02</u>	6,760.00
Code 03	Legal and Zoning	
	Donahue, Tucker & Ciandella	2,985.00
	Peter J. Loughlin	200.00
	MSC Engineers	481.18
	Rockingham Planning Commission	976.21
	Misc. Postage & Postings	540.46
	<u>Total Code 03</u>	5,182.85
Code 04	Office Expense and Insurance	
	Office Expense, Correspondence, Postage	206.06
	NE Printing, annual report	818.05
	Primex	800.00
	<u>Total Code 04</u>	1,824.11
Code 05	Miscellaneous	
	<u>Total Code 05</u>	0.00
Code 06	LBH Improvement Fund – WA 5	7,500.00
Total Expenditures (Excluding WA-5)		19,712.96
08/20/18	Balance Citizens Bank (General Checking)	<u>38,256.08</u>

PROPOSED BUDGET

September 1, 2018 - August 31, 2019

<u>Code</u>	<u>Item</u>	Budget <u>2017-2018</u>	Actual thru <u>8/20/2018</u>	Proposed Budget <u>2018-2019</u>
01	Sidewalks	4,000	-5,946.00	4,000
02	Parks and Commons	8,200	-6760.00	8,200
03	Legal and Zoning	10,000	-5,182.85	10,000
04	Insurance, Print, Mail, Office	2,500	-1,824.11	2,500
05	Miscellaneous	200	0.00	200
06	To LBH Improvement	7,500.00	-7,500.00	7,500
Totals		\$32,400	\$-27,212.96	\$32,400

Village District of Little Boar's Head
Post Office Box 133
North Hampton, NH 03862-0133

New Hampshire State Library



3 4677 00214894 3

~~Join us for refreshments prior to the Annual Meeting (5:30pm)~~